IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 22472 OF 2005

Date: 19.10.2005

BETWEEN:

K. Balakrishna

.... PETITIONER

And

1. The Collector, Ranga Reddy District, Khairatabad, Hyderabad, and others.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 22472 OF 2005

ORDER:

The petitioner's father, namely, Sivaiah was allegedly the pattadar of the land comprised in S.No.466 admeasuring Acs.13.15 of Malkajgiri village. After the death of his father, the petitioner and his brother succeeded to the property, divided the land into house plots after getting a layout sanction, and sold away to various purchasers for construction of houses. They allege that on an application filed by the fifth respondent for recognition as legal heir of protected tenant, the Mandal Revenue Officer (MRO) conducted enquiry and deleted the lands in S.Nos.447 to 450 from the Tenancy register, as the lands were classified as Inam Lands. In the proceedings under Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1950 one Mr. Sattaiah was recorded as the owner of the lands, from whom the petitioner's father purchased the property. However, the fifth respondent filed an application to survey the lands in S.Nos.447 to 450, 461 to 463 and 466, in vain. Therefore, he filed W.P.No.1694 of 2005 and this Court disposed of the said writ petition on 4.2.2005 giving liberty to the fifth respondent to make a fresh application to MRO, Malkajgiri, who

was directed to take appropriate steps in accordance with law. The petitioner filed applications before the second respondent, i.e., the MRO on 27.7.2005, 10.8.2005 and 26.9.2005 raising certain objections regarding survey. It is alleged that without considering the objections the second respondent is taking steps to conduct survey at the instance of the fifth respondent, who has no manner of right. Therefore, the petitioner seeks a direction to the second respondent to decide the objections filed by him before taking up survey.

At the stage of admission itself the learned Assistant Government Pleader was directed to get instructions in the matter. After getting instructions the learned Assistant Government Pleader submits that the survey of lands in question has not been taken up, and that the fifth respondent was asked to give his response on the objections filed by the petitioner. He also submits that after considering the objections filed by the petitioner, necessary decision for conducting survey would be taken by the Mandal Revenue Officer. The same is recorded. In view of the submission made by the learned Assistant Government Pleader, no further orders are necessary in this writ petition.

The Writ Petition, with the above observations, is accordingly disposed of at the admission stage.

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(**V.V.S. RAO, J.)**

19th October, 2005

Note: C.C. in one week

B/o

Js.